

REMARKS

Claims 1-52 are pending in the present application. The Examiner is respectfully requested to reconsider the rejection in view of the following remarks.

Information Disclosure Statement

Information Disclosure Statements were submitted to the U.S. Patent and Trademark Office on June 22, 2001, September 21, 2001, May 7, 2002 and January 21, 2004. However, in the Examiner's Office Actions dated May 20, 2003 and December 4, 2003, no initialed copies of the PTO-1449 forms that correspond with the Information Disclosure Statements were provided. It is respectfully requested that the Examiner initial the PTO-1449 forms corresponding to the Information Disclosure Statements mentioned above and forward copies with the next Office Communication in order to indicate consideration of the references listed thereon.

Double Patenting

Claims 1-52 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-40 of U.S. Patent No. 6,631,870. This rejection is respectfully traversed.

While not commenting on the appropriateness of the Examiner's rejection, but merely to expedite prosecution, as the Examiner will note, a Terminal Disclaimer has been filed

concurrently with the present Amendment. Applicants respectfully submit that the Terminal Disclaimer is sufficient to overcome the Examiner's rejection under obviousness-type double patenting. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

At page 2, paragraph 3 of the Examiner's Office Action, the Examiner requests Applicant to provide reference numerals for all the claimed limitations as well as support in the disclosure for better clarity. The Examiner also indicates that a full and proper response requires that Applicant points out the support for any amendment made to the disclosure.

With regard to the Examiner's request for reference numerals, Applicant is unaware of any requirement that reference numerals be provided for individual elements in the claims. Although reference numerals are permissible, they are not required. Please see MPEP § 608.01(m).

With regard to the Examiner's comments regarding pointing out support for amendments made to the disclosure, as the Examiner will note, no amendments have been made by the present amendment and therefore it is unnecessary to indicate where support appears in the specification. However, if the Examiner has a question about where there is

support for any of the limitations in the present claims, it is requested that the Examiner point this out in the next Office Communication.

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.


It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Paul C. Lewis, Registration No. 43,368 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment(s)

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